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REPORT OF THE SECRETARY-GENERAL ON THE CONDUCT AND RESULTS OF THE ELECTIONS IN CAMBODIA

1. By paragraph 16 of its resolution 826 (1993), the Security Council requested me to report promptly to the Council on the holding and results of the election in Cambodia, including on the conduct of the parties as regards their obligations under the Paris Agreements (S/23177, annex) and, if necessary, to recommend any initiative and/or measures conducive to ensuring their full respect by all parties. By paragraph 2 of resolution 835 (1993), the Council invited me to make my report on the elections available as soon as possible. The present report is submitted in accordance with those requests.

2. The elections were held as scheduled from 23 to 28 May 1993 in all 21 provinces in Cambodia. Between 23 and 25 May, some 1,400 large, medium and small fixed polling stations were operating, as well as 200 mobile teams in remote or difficult country. The mobile teams operated for the entire six-day period, while on 26 May some of the fixed stations were converted to mobile operation and worked as mobile teams on 27 and 28 May. Polling took place from 0800 to 1600 hours each day, but was extended on the final day to accommodate the remaining voters. Aside from a few incidents, described below, polling was conducted in a peaceful and often festive atmosphere, with voters sometimes walking several miles to cast their ballots, apparently undaunted by threats of violence or banditry, rough terrain or the heavy rain that swept much of the country. As indicated in my report issued in pursuance of paragraph 6 of Security Council resolution 810 (1993) (S/25784), the UNTAC Military and Civilian Police components ensured tight security for the poll throughout.

3. The polling was generally peaceful and no significant disruption occurred. There were, however, a few scattered incidents of violence. A Cambodian civilian was killed on the first day of polling when several mortar rounds were fired in Kompong Cham Province, and the polling station in the vicinity was temporarily closed. Other polling stations were closed for short periods during the polling period for security reasons, but many continued operating even when shelling occurred nearby. In Kampot Province, polling was temporarily suspended in one district when armed men intruded into a polling station and stole items of equipment. Polling later resumed. In Sot Nikum District, Siem Reap Province, a mobile polling station was attacked by armed men. A Bangladeshi member of the Military Component was wounded and two voters and a third Cambodian were also injured.

4. In some parts of the country evidence emerged that elements of the National Army of Democratic Kampuchea (NADK) were preventing voters from going to the polls, but in Poipet, Banteay Meanchey Province, about 200 unarmed NADK soldiers voted. In the same province, several hundred family members of NADK soldiers also voted in Thmar Puok, Banthey Thma and Phum Ampil villages, as did soldiers and civilians from NADK-controlled areas around the enclave of Sok San in Battambang Province.

5. The turnout of voters was impressive. A total of 4,267,192 voters, representing 89.56 per cent of the registered voters, turned out to vote. About 7 per cent of the ballots were cast in the form of tendered ballots, mainly by voters voting outside the province in which they had registered. About 46 per cent of registered voters, or 2.2 million, voted on the first day, the largest voter turnout on any single day.

6. Three of the four Cambodian parties signatories to the Paris Agreements - the Party of the State of Cambodia (SOC) (through the Cambodian People's Party (CPP)), the Front uni national pour un Cambodge indépendant, neutre, pacifique et coopératif (FUNCINPEC) and the Khmer People's National Liberation Front/Buddhist Liberal Democratic Party (KPNLF/BLDP) - took part in the electoral process. The three participating parties complied fully with the electoral law and all availed themselves of their legal right to post agents at polling stations to scrutinize the balloting.

7. The fourth Cambodian signatory party, the Party of Democratic Kampuchea (PDK), failed to register as a political party, took no part in the election and threatened to disrupt it with violence. As noted above, however, no significant disruption took place.

8. At a meeting of the Supreme National Council, convened on 29 May 1993, the day after the final day of polling, to review the polling process, my Special Representative declared on my behalf and on behalf of the United Nations that, in view of the very high turnout throughout the country, the absence of violence or disruption during the polling, the success of the technical conduct of the poll and the calm and peaceful atmosphere that reigned throughout the polling period, the conduct of the poll had been free and fair. The text of my Special Representative's statement has been issued as document S/25879. The counting of the ballots began on the morning of 29 May 1993.

9. At the Supreme National Council meeting of 29 May, Mr. Hun Sen, Vice-President of CPP, issued a statement expressing his satisfaction and warm congratulations for the "excellent" result of the electoral process. The statement said it had been achieved "thanks to a political climate conducive to an environment free from coercion, intimidation or fear, thus allowing the overwhelming majority of the population from everywhere to come to cast their vote with confidence and enthusiasm, to determine their own destiny, absolutely wishing for peace, and to unite and dedicate themselves to build a new Cambodia". The statement noted that CPP had submitted observations to UNTAC on the implementation of technical aspects of the electoral process and that the party was awaiting the election results in the hope that the counting of the votes would proceed in strict conditions which would allow all parties to accept the results.

10. Subsequently, CPP has raised a number of objections over alleged irregularities in the polling and counting process. These are based on the claims that party agents were not able to inspect the "safe havens" where ballot boxes were stored overnight; the rupture of some plastic seals used to seal the ballot boxes overnight, the efficacy of the indelible ink, the alleged partiality of some locally recruited Cambodian polling staff and alleged discrepancies in the numbers of ballot papers in the boxes. CPP leaders have also alleged fraud. My Special Representative has requested CPP to furnish UNTAC with all the necessary details to enable a full investigation to be carried out, but no additional details have yet been forthcoming. In some cases, where specific complaints have been made and details provided, investigations have been conducted on the spot to the complete satisfaction of party agents.

11. Because of the need to ensure accuracy and transparency, counting proceeded rather more slowly than anticipated. In view of this, UNTAC had been releasing the interim figures of the vote count twice a day. CPP, citing "mistakes" in the figures, has requested UNTAC to discontinue this procedure, but UNTAC rejected the request. The regular release of the figures was intended to promote the maximum transparency of the process, especially since the figures, being available to the political party agents present at the count, were in the public domain.

12. CPP also requested UNTAC to hold new elections in seven provinces, including the capital, Phnom Penh. UNTAC has declined to do so until and unless CPP can produce convincing evidence of irregularities and fraud on such a scale as to invalidate the poll. CPP has not presented such evidence.

13. The count of ordinary and tendered ballots is now complete. The 4,011,631 valid ballots counted indicate that FUNCINPEC has won 1,824,188 votes, or 45.47 per cent of the votes to CPP's 1,533,471 votes, or 38.23 per cent. BLDP has won 152,764 votes, or 3.81 per cent. The number of votes cast for each party and the percentage of total votes won are contained in annex 1. The number of seats won in the Constituent Assembly was 58 for FUNCINPEC, 51 for CPP, 10 for BLDP and 1 for MOLINAKA.

14. Accordingly, I authorized my Special Representative to issue, at a meeting of the Supreme National Council, held on 10 June and presided by His Royal Highness Prince Norodom Sihanouk, a statement declaring, on my behalf and on behalf of the United Nations, that the election as a whole had been free and fair. The text of that statement is reproduced in annex II.

15. It gives me deep satisfaction to support my Special Representative's determination that the election in Cambodia was free and fair. I pay tribute to the courage and commitment to the peace process demonstrated by the Cambodian people. I urge all parties to respect and accept the results of the election and to resolve any disputes they may have through the agreed channels. UNTAC will give the Constituent Assembly, which will soon commence its work, full support in the process of drawing up a constitution and establishing a new Government for all Cambodia. I am also confident that the international community will continue to support efforts to promote national reconciliation and peace-building.

16. In concluding, I wish to pay warm tribute to my Special Representative, Mr. Yasushi Akashi, and to all civilian and military personnel of UNTAC for their dedication and steadfastness in this complex mission under extraordinarily difficult and often dangerous conditions. I also wish to acknowledge the contribution of the United Nations and independent election monitors, members of United Nations agencies and non-governmental organizations, who have supported this important endeavour in Cambodia.

Annex 1

Number and percentage of votes won by parties

	Number of votes	Percentage of votes
CPP	1 533 471	38.23
RCP	27 680	0.69
FDRP	20 425	0.51
KNP	48 113	1.20
RSN	14 569	0.36
NDPC	24 394	0.61
PD	41 799	1.04
CFID	37 474	0.93
BLDP	152 764	3.81
LRP	29 738	0.74
FUNCINPEC	1 824 188	45.47
CRP	28 071	0.70
ADD	13 914	0.35
NKP	7 827	0.20
FRP	31 348	0.78
KFLD	20 776	0.52
MOLINAKA	55 107	1.37
LDP	62 698	1.56
REDEK	11 524	0.29
KNCP	25 751	0.64
Total	4 011 631	

Notes

No.	Name of Political Party	Acronym
1	Cambodian People's Party	CPP
2	Republican Coalition Party	RCP
3	Free Development Republican Party	FDRP
4	Khmer Neutral Party	KNP
5	Reassemblement pour la solidarité nationale	RSN
6	Neutral Democratic Party of Cambodia	NDPC
7	Parti démocrate	PD
8	Cambodian Free Independent Democracy Party	CFID
9	Buddhist Liberal Democratic Party (grandfather Son Sann)	BLDP
10	Liberal Reconciliation Party	LRP
11	Front uni national pour un Cambodge indépendant, neutre, pacifique et coopératif	FUNCINPEC
12	Cambodge-Renaissance Party	CRP
13	Action for Democracy and Development Party	ADD
14	Nationalist Khmer Party	NKP
15	Free Republican Party	FRP
16	Khmer Farmer Liberal Democracy	KFLD
17	Molinaka and Naktaorsou Khmere for Freedom	MOLINAKA
18	Liberal Democratic Party	LDP
19	Republic Democracy Khmer Party	REDEK
20	Khmer National Congress Party	KNCP

Annex II

Freeness and fairness of the Cambodian elections

Statement by the Special Representative of the Secretary-General

The counting of all votes in the Cambodian election is now complete, and a statement of the final figures for each province, indicating the percentage won by each party, is now being circulated. As you can see, the overwhelming majority of votes were cast for the two largest parties. A total of 3,767,412 ordinary valid ballots and 244,219 valid tendered ballots were counted, that is, 4,011,631 ballots altogether. Nationwide, the Front uni national pour un Cambodge indépendant, neutre, pacifique et coopératif (FUNCINPEC) won 45.47 per cent of the votes; the Cambodian People's Party (CPP) won 38.23 per cent; the Buddhist Liberal Democratic Party (BLDP) won 3.81 per cent; and the other 17 parties won the remainder.

The counting proceeded more slowly than anticipated, largely owing to the need to ensure absolute accuracy and transparency under the scrutiny of political party agents. This has involved a very careful process of verification.

We have also been engaged in detailed discussions with CPP, which has alleged that the election was marked by irregularities and fraud. UNTAC is fully prepared to investigate any and all allegations of irregularity, and has asked CPP for details to support those allegations. Where details have been provided, the allegations have been investigated and responded to. My associates and I have been engaged in detailed correspondence with H.E. Mr. Chea Sim, and I have listed in detail all the measures UNTAC has taken to rectify anomalies of which we were aware. Nevertheless, we are committed to continuing our own thorough and objective inquiry into any complaints until they are dealt with. We have also made it clear that the alleged irregularities do not amount to fraud and that none of CPP's allegations, even if true, would affect the outcome. Moreover, UNTAC firmly rejects any suggestion that its own actions were not impartial. The election was free and fair and the Cambodian parties must accept and respect its results in keeping with their commitments under the Paris Agreements.

I will now bring to the attention of the Supreme National Council Security Council resolution 835 (1993), which was adopted unanimously on 2 June 1993. That resolution calls upon all parties to stand by their obligation to respect fully the results of the elections and urges them to do all in their power to bring about the peaceful establishment of a democratic government in accordance with the terms of the new Constitution.

Accordingly, I am now prepared to announce, on behalf of the Secretary-General and of the United Nations, that this latest phase of the election process has been performed in a free and fair manner. The results I have just announced fairly and accurately reflect the will of the Cambodian people and must be respected.

I now wish to make a statement about the freeness and fairness of the election as a whole.

In doing so, I must draw particular attention to the political environment and the human rights situation prior to the poll. As I have stated on numerous occasions, we were not satisfied that a neutral political environment in which respect for basic human rights was assured was fully in place in Cambodia prior to the campaign period. I have published details of political violence, intimidation and harassment both in the months immediately preceding the campaign and in earlier months. I have brought these matters to the attention of His Royal Highness Prince Norodom Sihanouk and of all the members of the Supreme National Council. We have also been concerned that there has not been sufficient effort by the authorities, in all zones of Cambodia, to bring the perpetrators to justice. The acts of violence have continued since the election. In addition, I have complained about a pattern of low-level intimidation throughout the country.

Clearly, efforts must continue by all concerned before a society is realized in Cambodia which is governed by the rule of law, in which basic human rights and fundamental freedoms are respected. The international community will continue to support the Cambodian leadership in this endeavour.

Another threat to the election came from the Cambodian party which refused to participate in the polling, and which threatened to disrupt it with violence. We take great satisfaction in the fact that, contrary to our concern, little violence marred the election.

Despite these threats and risks, UNTAC pressed ahead with preparations for the elections in the firm belief that the Cambodian people wanted an election. The Cambodian people, by coming forth in their millions in a festive atmosphere of joy and hope for the future, made the election free and fair by their own courage and determination. They knew that their vote was secret and they voted for the parties of their choice.

The Cambodian people are the true winners of this election. I wish to pay tribute to them, as well as to all 20 political parties, which played an important role in this democratic process. FUNCINPEC and CPP, which between them received the overwhelming majority of the votes, will have an especially vital role to play. Despite its natural disappointment, CPP should be aware that, in an election which all observers have declared free and fair, a large proportion of Cambodians have indicated that the party must continue to play a vital and constructive role in the country's future commensurate with the significant level of popular support it has won.

FUNCINPEC, too, has reason for pride. Its leaders and its party workers stayed the course despite a campaign of violence and intimidation directed against them almost from the time they were permitted to open offices in the SOC zone. Undaunted, they persisted in putting their case to the people and were never tempted to meet violence with violence. They deserve to be commended for their success.

BLDP, too, will have an important contribution to make to the ongoing process. These Cambodian parties, under the overall leadership and far-sighted wisdom and unexcelled guidance of His Royal Highness Prince Norodom Sihanouk, must now learn to work together in a spirit of common destiny and national healing. Their first task is to draft and approve a Constitution and to decide upon a Government. But that is just the beginning. The new Government's primary task is to ensure that all the people of Cambodia, to whom we owe the success of the elections, emerge as the winners. I wish to make the strongest possible plea to all of you to bury the hatchet of yesterday, to cease mutual recriminations forthwith and to concentrate from now on upon building a new Cambodia, based on genuine fraternity and concord.